

Notice of Allowability

Application No.

09/893,439

Examiner

Joseph E. Avellino

Applicant(s)

ZHANG ET AL.

Art Unit

2143

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Interview dated 5/18/06.
2. ☒ The allowed claim(s) is/are 1-6, 8, 11-21 and 23-30.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date herewith.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


DAVID WILEY
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Jeramie J. Keys on May 18, 2006.

The application has been amended as follows:

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1. (Currently Amended) A system for converged service creation and execution, the system comprising:

an application server;

service session manager logic, the service session manager logic in communication with the application server and wherein the service session manager logic accesses resources based on whether requests for services during a session are for voice oriented or for non-voice-oriented services;

a converged service creation and execution environment messaging bus, the converged service creation and execution environment messaging bus in communication with the service session manager logic to enable the service session manager logic to access the resources;

a plurality of service servers including servers that provide the resources for the voice-oriented and non-voice-oriented services, the plurality of service servers in communication with the converged service creation and execution environment messaging bus to enable access to resources for the service session manager logic, wherein one of the plurality of service servers includes a media server, a softswitch server, a conference server, a voice mail server, an e-mail server, a third party information server, a billing server, a text to speech server, a fax server, a movie server, a directory server and a home network server, wherein each server is in communication with the service session manager logic, the converged service creation and execution environment message bus, and a customer network,

wherein the softswitch server establishes a connection between the customer network and the plurality of service servers to provide voice-oriented and non-voice-oriented services to the customer network, and wherein upon the service session manager logic receiving a request for a movie-on-demand from the customer network, the softswitch server receives an instruction from the service session manager logic and responds to the instruction by establishing a channel between the movie server and the customer network; and,

a data network in communication with the softswitch server, the plurality of service servers and the customer network whereby the customer's movie-on-demand is downloaded to the customer via the channel; and

wherein the application server is executing a user application creating one or more service sessions wherein each of the service sessions contains one or more different subsessions each subsession having one more participants wherein further the system bills

users for costs of service based on different granularity characteristics including at least user characteristics, session characteristics, subsession characteristics and participant characteristics. -.

2. (Original) The system of claim 1, further comprising an open application programming interface.

3. (Original) The system of claim 2, wherein the open application programming interface is a proprietary application programming interface.

4. (Previously Presented) The system of claim 2, wherein the open application programming interface is selected from the group consisting of an open broadband service application programming interface corresponding to non-voice-oriented services and an open narrowband service application programming interface corresponding to voice-oriented services.

5. (Original) The system of claim 1, further comprising a plurality of open application programming interfaces.

6. (Previously Presented) The system of claim 5, wherein the plurality of open application programming interfaces include an open broadband service application programming interface corresponding to non-voice-oriented services and an open narrowband service application programming interface corresponding to voice-oriented services.

7. (Cancelled)

8. (Original) The system of claim 1, wherein the plurality of service servers include a quality-of-service server.

9. (Cancelled)

10. (Cancelled)

11. (Original) The system of claim 2, further comprising:

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a network portal, the network portal in communication with the open application programming interface; and

a network application, the network application in communication with the network portal.

12. (Currently Amended) A system for converged service creation and execution, the system comprising:

a data network;

an application server;

a service session manager in communication with the application server, the service session manager coupled to the data network and wherein the service session manager accesses resources based on whether requests for services during a session are for voice-oriented or for non-voice-oriented services;

a converged service creation and execution environment messaging bus, the converged service creation and execution environment messaging bus coupled to the service session manager and to the data network to enable the service session manager to access resources; and

a server farm, the server farm including a plurality of service servers including servers providing the resources for voice-oriented and non-voice-oriented services, the server farm in communication with the converged service creation and execution environment messaging bus to enable access to resources for the service session manager, wherein the server farm includes a conference server, a video server, a voice mail server, an e-mail server, a third party information server, a billing server, a movie server, a text to speech server, a fax server, a directory server and a home network server a media server, and a softswitch server in communication with the service session manager, the converged service creation and execution environment message bus, and a first and second user network, and

wherein the softswitch establishes a connection between the first user network, the second user network, and the plurality of service servers to provide voice-oriented and non-voice-oriented services simultaneously to the first and second user networks, and

wherein upon the service session manager receiving a request for a conferencing, the softswitch receives an instruction from the service session manager and responds to the instruction by establishing a conferencing channel between the conference server and the first user network and between the conference server and the second user network; and

wherein the application server is executing a user application creating one or more

service sessions wherein each of the service sessions contains one or more different subsessions each subsession having one more participants wherein further the system bills users for costs of service based on different granularity characteristics including at least user characteristics, session characteristics, subsession characteristics and participant characteristics.

13. (Previously Presented) The system of claim 12, further comprising a customer integrated access device, the customer integrated access device coupled to the first user network.

14. (Original) The system of claim 13, wherein:
the customer integrated access device is to receive a user applet; and the customer integrated access device includes a user agent.

15. (Original) The system of claim 12, further comprising:
a plurality of open application programming interfaces, the plurality of open application programming interfaces coupled to the service session manager.

16. (Previously Presented) The system of claim 15, wherein the plurality of open application programming interfaces comprise two or more open application programming interfaces selected from the group consisting of an open broadband service application programming interface for non-voice-oriented services, an open narrowband application programming interface for voice-oriented services, and a messaging service application programming interface.

17. (Original) The system of claim 15, further comprising:
a network portal, the network portal coupled to the service session manager; and a plurality of network applications, the plurality of network applications coupled to the network portal.

18. (Original) The system of claim 17, further comprising a customer integrated access device, the customer integrated access device coupled to the data network, wherein
the customer integrated access device includes a user agent;
the customer integrated access device is to receive a user applet from the network

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portal; and

the user applet corresponds to a network application of the plurality of network applications.

19. (Original) The system of claim 18, wherein the customer integrated access device is a personal computer.

20. (Original) The system of claim 18, wherein the customer integrated access device is a residential gateway.

21. (Original) The system of claim 18, wherein the customer integrated access device is an Internet Protocol appliance.

22. (Cancelled)

23. (Currently Amended) A system for converged service creation and execution, the system comprising:

an application server;

means for managing a service session, the means for managing a service session coupled to the application server and wherein the service session manager logic accesses resources based on whether requests for services during a session are for voice-oriented or for non-voice-oriented services;

means for interfacing a service application to the means for managing a service session to provide access to the resources; and

a server farm, the server farm including a plurality of service servers including servers providing the resources for voice-oriented services and for non-voice-oriented services, the server farm coupled to the means for managing a service session to enable access to the resources, wherein the server farm includes a conference server, a media server, a softswitch server, a video server, a voice mail server, a movie server, an e-mail server, a third party information server, a billing server, a text to speech server, a fax server, a directory server and a home network server, in communication with the means for managing a service session, the converged service creation and execution environment message bus, a PSTN and an data network, and wherein the softswitch establishes a connection between the PSTN, the data network, and the plurality of service servers to provide voice-oriented and non-voice-

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oriented services simultaneously to the PSTN and data network, and

wherein upon the service session manager logic receiving a request for bridging a telecommunication between the PSTN and data network, the softswitch receives an instruction from the service session manager logic and responds to the instruction by establishing a bridging channel between the softswitch server and the PSTN and between the softswitch server and the data network; and

wherein the application server is executing a user application creating one or more service sessions wherein each of the service sessions contains one or more different subsessions each subsession having one more participants wherein further the system bills users for costs of service based on different granularity characteristics including at least user characteristics, session characteristics, subsession characteristics and participant characteristics.

24. (Original) The system of claim 23, further comprising a data network, the data network coupled to the application server.

25. (Previously Presented) The system of claim 23, further comprising:

an e-center, the e-center coupled to the means for interfacing a service application, wherein the e-center performs data processing and processes customer service calls including voice calls, voice mail messages, messaging and video calls ; and

a plurality of network service applications, the plurality of network service applications coupled to the e-center.

26. (Original) The system of claim 23, further comprising:

a network portal, the network portal coupled to the means for interfacing a service application; and

a plurality of network applications, the plurality of network applications coupled to the network portal.

27. (Original) The system of claim 23, further comprising a customer data device, the customer data device coupled to the means for managing a service session.

28. (Original) The system of claim 23, wherein:

the customer data device includes a user agent, the user agent coupled to the means for managing a service session; and

the customer data device including a user applet, the user applet corresponding to a network application.

29. (Original) The system of claim 28, wherein the customer data device is a customer integrated access device.

30. (Original) The system of claim 28, wherein the customer data device is a residential gateway.

REASONS FOR ALLOWANCE

2. The following is an examiner's statement of reasons for allowance: The prior art of record does not provide for, nor suggests providing for, a system for converged service creation which discloses having service servers including a media server, a softswitch server, a fax server, a movie server, a home network server amongst other servers which provide voice-oriented and non-voice-oriented services. The application server executes a user application creating multiple sessions with each session containing multiple subsessions, and bills the user based on different granularity characteristics. The softswitch server establishes a connection between the service servers and the user to provide services, and to allow for a request for a movie-on-demand, and establishes a channel between the server and the network. The closest prior art of record is Luzeski (USPN 6,430,177) however this reference does not specifically disclose providing voice-oriented and non-voice-oriented services utilizing a softswitch server in connection with the service session manager, the message bus connecting the softswitch server with the other service servers, and a customer network. For these reasons, in conjunction with the other limitations of the independent claims, puts this case in condition for allowance.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Terminal Disclaimer

3. The terminal disclaimer filed on May 22, 2006 disclaiming the terminal portion of any patent granted on this application which would extend beyond the expiration date of application no. 09/893,437 has been reviewed and is accepted. The terminal disclaimer has been recorded.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joseph E. Avellino whose telephone number is (571) 272-3905. The examiner can normally be reached on Monday-Friday 7:00-4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David A. Wiley can be reached on (571) 272-3923. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.


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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



JEA

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